

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
SUPPLEMENTAL DOCKET NUMBER 2  
FOR THE REGULAR MEETING OF  
TUESDAY, JUNE 19, 2001**

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**ADOPTION AGENDA, CONSENT ITEMS  
RESOLUTIONS:**

- \* ITEM-S500:            Three actions related to the Final Subdivision Map of Black Mountain Ranch Unit No. 13.

(Black Mountain Ranch Subarea I. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2001-1691)

Authorizing a Subdivision Improvement Agreement with Santaluz, LLC for the installation and completion of public improvements.

Subitem-B: (R-2001-1690)

Approving the final map.

Subitem-C: (R-2001-1693)

Authorizing the City Manager to accept a grant deed of Santaluz, LLC, formerly known as Black Mountain Ranch Developers, LLC, granting to the City Lot B of Black Mountain Ranch Unit No. 13.

**CITY MANAGER SUPPORTING INFORMATION:**

This map proposes the subdivision of an 85.318 acre site into 71 lots for residential development, plus 9 lots for easements and private driveways. It is located northerly of Carmel Valley Road westerly of Camino Ruiz in the Black Mountain Ranch Subarea I Community Plan area. On October 31, 1995 the Council of the City of San Diego approved City Council Resolution No. R-286502 for Black Mountain Ranch TM-95-0173. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS: (Continued)

\* ITEM-S500: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:** (Continued)

The public improvements and landscaping required for this subdivision are shown in detail on Drawing Number 30272-1-D through 30272-23-D, filed in the Office of the City Clerk on April 2, 2001 under Micro Number 140.88. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$2,410,236. A Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$11,500, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments.

Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development".

As a condition of TM-95-0173, subdivider has entered into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility. This subdivision is located in the Black Mountain Ranch Public Facilities Financing Plan area, which provides for the payment of a Facilities Benefits Assessment (FBA), including parks, at the time of building permit issuance. Lot "B" is being deeded at no cost to the City as a condition of T.M. approval. The lot totals 45.181 acres in size. No park fee credit is being granted. This project is estimated to generate approximately 710 daily trips (ADT). 150 of these trips are estimated to occur on Interstate 5, which has an estimated near-term plus project volume of 254,257 ADT. Caltrans is planning to widen Interstate 5 to provide ten additional lanes south of State Route 56 to be completed by 2004. The proposed Black Mountain Ranch is required to contribute \$8 million for the widening of State Route 56 from four to six lanes, and \$6.1 million for the widening of Interstate 15 by an additional four lanes.

**FISCAL IMPACT:**

None.

Loveland/Haase/GB

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS: (Continued)

- \* ITEM-S501:            Two actions related to the Final Subdivision Map of Black Mountain Ranch Unit No. 14.

(Black Mountain Ranch Subarea I Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2001-1743)

Authorizing the City Manager to execute a Subdivision Improvement Agreement with Santaluz, LLC, for the installation and completion of certain public improvements.

Subitem-B: (R-2001-1742)

Approving the final map.

**CITY MANAGER SUPPORTING INFORMATION:**

This map proposes the subdivision of a 31.303 acre site into 65 lots for residential development, plus 5 lots for easements and private driveways. It is located northerly of Carmel Valley Road westerly of Camino Ruiz in the Black Mountain Ranch Subarea I Community Plan area. On October 31, 1995 the Council of the City of San Diego approved City Council Resolution No. R-286502 for Black Mountain Ranch T.M. No. 95-0173. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements and landscaping required for this subdivision are shown in detail on Drawing Number 30282-1-D through 30282-6-D, filed in the Office of the City Clerk on May 17, 2001 under Micro Number 140.96. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$715,878. A Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$11,500, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development".

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS: (Continued)

\* ITEM-S501: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:** (Continued)

As a condition of T.M. No. 95-0173, subdivider has entered into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility.

This subdivision is located in the Black Mountain Ranch Public Facilities Financing Plan area, which provides for the payment of a Facilities Benefits Assessment (FBA), including parks, at the time of building permit issuance. This project is estimated to generate approximately 650 daily trips (ADT). 150 of these trips are estimated to occur on Interstate 5, which has an estimated near-term plus project volume of 254,677 ADT. CalTrans is planning to widen Interstate 5 to provide ten additional lanes south of State Route 56 to be completed by 2004. The proposed Black Mountain Ranch is required to contribute \$8 million for the widening of State Route 56 from four to six lanes, and \$6.1 million for the widening of Interstate 15 by an additional four lanes.

**FISCAL IMPACT:**

None.

Loveland/Haase/GB

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS: (Continued)

- \* ITEM-S502:        Three actions related to the Final Map, Street Vacations, and Street Name Change - San Diego Spectrum Phase 3A.

(Kearny Mesa Community Area. District-6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A:    (R-2001-1695)

Changing the name of Spectrum Center Court and Kearny Spectrum Boulevard, as dedicated by Maps 13826, 13827, 13980, and Parcel Maps 18532 and 18754, as shown on Drawing 19518-B as Exhibit "C", to Spectrum Center Boulevard.

Subitem-B:    (R-2001-1696)

Approving the Final Map of San Diego Spectrum Phase 3A.

Subitem-C:    (R-2001-1697)

Vacating the portion of the Spectrum Center Boulevard, reserving out a general utility and access easement, as described in the legal description marked Exhibit "A", and shown on Drawing No. 19515-B marked Exhibit "B".

**CITY MANAGER SUPPORTING INFORMATION:**

Sunroad Centrum Partners, L.P., a California Limited Partnership, has prepared a Subdivision Map in order to implement the terms of Tentative Map 99-1269. The land development will consist of mixed uses including residential and commercial. As a part of the site plan, a through street will connect previously dedicated cul de sacs to create a through street. The remnant portion of the cul de sac are proposed to be vacated with this action. Also, since three different street names were created by previous street dedications, the combination of these streets into one thoroughfare necessitates the need to have one name for the street. Staff recommends Council approval of the map, street vacations, and street name change which will enable the property development and the creation of one through street.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS: (Continued)

\* ITEM-S502: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:** (Continued)

FINDINGS: Staff review has indicated that the four required findings for a street vacation can be made:

- 1.) That there is no prospective use for the easement or right-of-way, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated. The street vacation will eliminate unuseable remnant right-of-way.
- 2.) That the public will benefit from the action through improved utilization of land made possible by the street vacation. The land value will lead to higher property tax revenues. The adjacent property owners can recover their property use unencumbered by street right-of-way.
- 3.) That the vacation or abandonment is not inconsistent with the General Plan, an approved Community Plan, or the Local Coastal Program. The vacation is consistent with the land development uses proposed for this property.
- 4.) That the facility for which the right-of-way as originally acquired will not be detrimentally affected by the street vacation. The streets are not yet constructed. One through street will improve traffic circulation in this area.

**FISCAL IMPACT:**

None. All costs have been paid for by the applicant.

Loveland/Haase/AW

**NOTE:** This project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3).

**ADOPTION AGENDA, CONSENT ITEMS**

**RESOLUTIONS: (Continued)**

- \* ITEM-S503:            Approving Parcel Map No. W. O. 400252 and Easement  
Abandonments.

(University Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1694)

Approving Parcel Map No. W. O. No. 400252, including the abandonment of  
an unneeded sewer and incidental purposes easement, emergency access  
easement, and a portion of a drainage easement.

**CITY MANAGER SUPPORTING INFORMATION:**

This parcel map is a lot line adjustment map of an 11.125 acre site into three parcels for industrial development. It is located north of Genesee Avenue west of I-5 in the University Community Plan area. This map requires City Council approval because easements are being abandoned on the map. The existing sewer and incidental purposes easement, emergency access easement, and a portion of drainage easement granted to the City of San Diego on Map-12845 are no longer necessary because the development project has been redesigned.

A new general utility and access easement is granted on the map to accommodate the new utility locations. Staff has determined that the revised project is consistent with all previously approved permits. There are no new public improvements required for this parcel map. This project is expected to generate approximately, 2000 average daily trips (ADT) and add 600 ADT to I-5 segments north and south of Genesee Avenue which carry approximately 147,000 ADT and operate at LOS E. A project to improve the I-5/Genesee Avenue overcrossing is planned and its scope is currently being studied by SANDAG.

**FISCAL IMPACT:**

None.

Loveland/Haase/GRB

**ADOPTION AGENDA, CONSENT ITEMS**

**RESOLUTIONS: (Continued)**

- \* ITEM-S504: Abandonment of a General Utility Easement in Parcels 1, 2 & 3 of Parcel Map PM-15118.

(Clairemont Mesa Community Area. District-6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1679)

Vacating the general utility easement in Parcels 1, 2 and 3 of Parcel Map PM-15118, as more particularly described in the legal description marked Exhibit "A" and shown on Drawing No. 19307-B marked Exhibit "B."

**CITY MANAGER SUPPORTING INFORMATION:**

City Council action is requested to abandon a general utility easement in several parcels located in the Clairemont Mesa Community area within Council District 6. The applicant has applied for a construction permit and intends to build a retaining wall along the vacated easement. The easement has not been used for its intended purpose and there is no prospective use for the easement. The easement was acquired at no cost to the City. City staff recommends approval of the easement abandonment.

Loveland/Haase/AA



ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS: (Continued)

- \* ITEM-S505:           Abandonment of a Drainage Easement in Lot 24 of Map 12911.  
  
                             (Miramar Ranch North Community Area. District-5.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1689)

Vacating the drainage easement in Lot 24 of Map 12911 as described in the legal description marked Exhibit "A", and shown on Drawing No. 19475-B marked Exhibit "B".

**CITY MANAGER SUPPORTING INFORMATION:**

City Council action is requested to vacate a drainage easement in Lot 24 of Map 12911. The property is located in the Miramar Ranch North Planning area within Council District 5. The applicant wishes to develop the land applied for a grading permit. One of the conditions of approval for the grading is to abandon the drainage easement. The drainage easement was acquired at no cost to the City.

City staff recommends approval of the easement abandonment.

Loveland/Haase/AA

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS: (Continued)

- \* ITEM-S506: Traffic Signal and Street Lighting Systems at Briarwood Road and Nebraska Avenue and at 60<sup>th</sup> Street and University Avenue.

(Skyline, Paradise Hills, and Mid-City Community Areas. Districts-4, 7.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1682)

Amending the Fiscal Year 2001 Capital Improvements Program budget by increasing the appropriation in CIP-62-202.0, Traffic Signal and Street Lighting Systems at Briarwood Road and Nebraska Avenue and at 60<sup>th</sup> Street and University Avenue, by \$15,800;

Authorizing the City Manager to accept the revised program supplement for an additional \$15,800 of Surface Transportation Program Fund (Fund No. 38966) for design and construction of traffic signals at Briarwood and Nebraska Avenue and at 60<sup>th</sup> Street and University Avenue;

Authorizing the additional expenditure of an amount not to exceed \$15,800 from CIP-62-202.0, for the construction of Traffic Signal and Street Lighting Systems at Briarwood and Nebraska Avenue and at 60<sup>th</sup> Street and University Avenue, for the purpose of providing funds for the above project, contingent upon receipt of a fully executed Program Supplement;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS: (Continued)

\* ITEM-S506: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:**

Resolution No. R-293004, adopted on April 17, 2000, authorized the City Manager to accept, appropriate, and expend \$240,000 of Surface Transportation Program Funds (Fund No. 38966) for the design and construction of two traffic signals, one at Briarwood Road and Nebraska Avenue, and one at 60<sup>th</sup> Street and University Avenue. The initial cost estimate for the two signals was \$240,000 at the time the funds were applied for but did not include comprehensive design or field information for either intersection. After completing the detailed designs and construction estimates for the two signals, the estimated total cost will be \$255,800, based on elements that were not estimated at the time of the grant application. These items include additional environmental analysis required for the Federal grant funding; the mast arms for the signals at one of the intersections are longer than typically included in the preliminary cost estimate; modification of existing raised center median; and additional 300 feet of conduit trenching to connect the traffic controller to an existing power source. Therefore, this action is to accept the revised Program Supplement and amend the previous Resolution R-293004 to increase the appropriated amount of Surface Transportation Funds from \$240,000 to \$255,800.

**FISCAL IMPACT:**

The estimated total cost of this project is \$255,800 which is reimbursable by a Federal (STP) grant.

Loveland/Belock/PB

Aud. Cert. 2101225.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS: (Continued)

- \* ITEM-S507:            Two actions related to Authorizing Additional Funds - Fire Station No. 44.

(Mira Mesa Community Area. District-5.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2001-1706)

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$200,000 from Fund Balance, Mira Mesa Facilities Benefit Assessment Fund 79006 to CIP-33-083.0, Fire Station No. 44; and authorizing the expenditure of an amount not to exceed \$200,000 from CIP-33-083.0, Fire Station No. 44, for the purpose of construction and related costs;

Authorizing the City Auditor and Comptroller, upon advice from the administering department to transfer excess budgeted funds, if any, to the appropriate reserves, provided that the City Auditor first furnishes a certificate demonstrating that the funding necessary for such expenditures is, or will be, on deposit in the City Treasury.

Subitem-B: (R-2001-1707)

Declaring that the information contained in the final document, Negative Declaration, LDR-98-0166, including any comments received during the public review process, has been reviewed and considered by Council and it is determined that no substantial changes or new information of substantial importance within the meaning of CEQA Guideline section 15162 would warrant any additional environmental review in connection with approval of Fire Station No. 44.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS: (Continued)

\* ITEM-S507: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:**

The project provides for construction of a 9,500 square foot fire station located at Black Mountain Road and Maya Linda Road. The facility will be used to house eleven (11) firefighters, and three (3) fire apparatus. Fire Station No. 44 will serve the Carroll Canyon and Miramar industrial areas. A construction contract was awarded to Golden Springs Construction on June 23, 1999. Additional funding is now necessary to include additional improvements requested by the Fire Department for unknown site conditions. These extra costs include the cost of additional structural steel for the pre-fabricated building, additional soil importing cost due to unknown site conditions and the new fencing of the site requested by the community.

**FISCAL IMPACT:**

The estimated project cost is \$3,187,000 of which \$2,987,000 has previously been authorized for professional services, property acquisition, and the construction contract. The balance of \$200,000 is available in FBA Fund No. 79006 for this purpose.

Loveland/Belock/AO

Aud. Cert. 2101237.

**ADOPTION AGENDA, CONSENT ITEMS**

**RESOLUTIONS: (Continued)**

- \* ITEM-S508:           Transfer of Funds from Sports Arena Blvd (CIP-52-503.0) to Various CIP Projects.

(Ocean Beach and Pacific Beach Community Areas. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1731)

Authorizing the City Auditor and Comptroller to reprogram the TransNet Commercial Paper Fund 30306, CIP-52-503.0, Sports Arena Boulevard, Rosecrans Street to Midway Drive, in the amount of \$720,000;

Amending the FY 2002 Capital Improvements Program Budget by adding CIP-11-306.0, Ocean Beach Storm Drain;

Authorizing the City Auditor and Comptroller to transfer and appropriate \$400,000 to CIP-11-306.0, Ocean Beach Storm Drain from Fund 30306, CIP-52-503.0, TransNet Commercial Paper Fund 30306, Sports Arena Boulevard, Rosecrans Street to Midway;

Authorizing the City Auditor and Comptroller to amend the CIP budgets by increasing the appropriations and transferring \$150,000 to CIP-39-216.0, Washington Street Improvements - Phase II, and \$170,000 to CIP-39-224.0, Pacific Beach Streetscape Improvements from Fund 30306, CIP-52-503.0, TransNet Commercial Paper Fund 30306, Sports Arena Boulevard, Rosecrans Street to Midway.

**CITY MANAGER SUPPORTING INFORMATION:**

This item transfers \$720,000 from the Sports Arena Boulevard CIP project to the following: Ocean Beach Drainage Improvement Project (\$400,000), Washington Street Improvements - Phase II (\$150,000), and Pacific Beach Streetscape Improvements (\$170,000). The Ocean Beach Drainage Improvement project is located in the Ocean Beach Community area. The project encompasses the area between West Point Loma Boulevard in the north, the Pacific Ocean in the west, Coronado Avenue in the south, and Santa Barbara Street in the east.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS: (Continued)

\* ITEM-S508: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:** (Continued)

The existing drainage system is undersized and has historically resulted in flooding within the area during the rainy seasons. The proposed project will provide funding for preliminary engineering and design of improvements to the existing drainage facilities. The Pacific Beach Streetscape and Washington Street Improvements Phase II are projects which resulted from master plans for these areas and which need additional funds to complete the next phase of each project. Alternate funding is available for the Sports Arena Boulevard project in that since the original programming of this project, the North Bay Redevelopment area has been implemented and bond funds proceeds will be available in the future.

**FISCAL IMPACT:**

Funding is available in CIP-52-503.0 (Sports Arena Blvd.), Fund 30306 TransNet Commercial Paper. In an effort to defer the issuance of commercial paper, available cash in the amount of \$720,000 will be identified through our cash management process to fund these projects. No expenditures will be incurred against commercial paper.

Loveland/Belock/PB

Aud. Cert. 2200007.

**ADOPTION AGENDA, CONSENT ITEMS**

**RESOLUTIONS: (Continued)**

\* ITEM-S509:           Transfer of Funds - Canyonside Community Park Tennis Courts.

(Rancho Peñasquitos Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1710)

Directing the City Auditor and Comptroller to transfer an amount not to exceed \$30,000 from Peñasquitos East-Park Development, Fund No. 39085, to CIP-29-441.0, Canyonside Community Park Tennis Courts;

Amending the Fiscal Year 2001 Capital Improvements Program budget by increasing the appropriation in CIP-29-441.0, Canyonside Community Park Tennis Courts, by \$30,000;

Authorizing the expenditure of an amount not to exceed \$30,000 from CIP-29-441.0, Canyonside Community Park Tennis Courts, for the project;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

**CITY MANAGER SUPPORTING INFORMATION:**

Canyonside Community Park is located at 12350 Black Mountain Road in the Rancho Peñasquitos Community Planning Area. The proposed project will provide for the addition of six (6) lighted tennis courts, retaining walls, paving, fencing, drainage improvements, landscaping and irrigation. During construction of the project the Contractor encountered unanticipated geologic conditions that resulted in impacting the proposed drainage and the existing facilities. Additional funding will allow construction to continue and project close-out to occur.

**FISCAL IMPACT:**

The estimated project cost is \$855,000 of which \$825,000 has been previously authorized. The balance of \$30,000 is available in CIP-29-441.0, Canyonside Community Park Tennis Courts, Peñasquitos East-Park Development Fund No. 39085. The annual maintenance and operation of the courts will be the responsibility of the existing tennis court association.

Loveland/Belock/AO

Aud. Cert. 2101232.



ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS: (Continued)

\* ITEM-S510: Juneteenth Day.

**MAYOR MURPHY AND DEPUTY MAYOR STEVENS'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1720)

Proclaiming June 19, 2001 to be "Juneteenth Day" in San Diego;

Declaring that "Juneteenth Day" in San Diego is in conjunction with "Black History Year" which was proclaimed by Council on April 2, 2001 to honor the African American communities of San Diego and their commitment to the preservation of their cultural heritage.

\* ITEM-S511: Being Alive San Diego Day.

**COUNCILMEMBER ATKINS'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1740)

Recognizing the 12<sup>th</sup> anniversary of Being Alive San Diego, and commending the volunteers for their outstanding commitment to serve the HIV/AIDS community in San Diego;

Proclaiming June 22, 2001 to be "Being Alive San Diego Day" in San Diego.

**ADOPTION AGENDA, CONSENT ITEMS**

**RESOLUTIONS: (Continued)**

- \* ITEM-S512: As-Needed Civil Engineering Consultant Agreement with Tetra Tech ASL, Inc.

(See Frank Belock, Jr.'s 5/24/2001 memo and Frequently Asked Questions About Group Jobs.)

**TODAY'S ACTION IS:**

Adoption of the following resolution:

(R-2001-1292)

Authorizing the City Manager to execute an agreement with Tetra Tech ASL, Inc., Consulting Engineers, to provide as-needed civil engineering services, for sewer and water projects;

Authorizing the expenditure of an amount not to exceed \$50,000 from Water Fund No. 41500, and \$150,000 from Sewer Fund No. 41506;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 5/30/2001, NR&C voted 3 to 0 to approve the project. (Councilmembers Peters, Madaffer and Inzunza voted yea. Councilmember Wear not present.)

**CITY MANAGER SUPPORTING INFORMATION:**

On October 11, 2000, a list of As-Needed Civil Engineering Consultants for Water and Sewer Projects was requested from the Consultant Services Coordinator. On October 23, the Consultant Services Coordinator nominated five (5) consulting firms to participate in the final selection process. The firms were interviewed on November 22, 2000, in conformance with Council Policy 300-7; and Tetra Tech ASL, Inc., Consulting Engineers was selected as the best qualified firm to provide consulting services for the Engineering and Capital Projects Department.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS: (Continued)

\* ITEM-S512: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:** (Continued)

The agreement between the City of San Diego and Tetra Tech ASL, Inc., Consulting Engineers, will provide civil engineering services per task based on hourly service fees not to exceed \$20,000 for each task. The services will include complete civil engineering design for the construction of water and sewer projects. The total service fees shall not exceed \$200,000 for a period of two (2) years from the date of execution by the City.

**FISCAL IMPACT:**

The total estimated cost is \$200,000. Funding of \$50,000 is available from Water Fund No. 41500, and \$150,000 from Sewer Fund No. 41506 for this purpose.

Belock/Boekamp/HR

Aud. Cert. 2101028.

WWF-01-492.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS: (Continued)

\* ITEM-S513: South Bay Reclaimed Water Pipelines.

(See Larry Gardner's 6/3/2001 memo. San Ysidro Community Area.  
District-8.)

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2001-1616)

Adding CIP-70-956.0, South Bay Reclaimed Water Pipelines, to the FY01 Capital Improvement Program;

Authorizing the City Auditor and Comptroller to transfer \$397,684 from Water Fund 41500, CIP-70-916.0, Miramar Road Subsystem Extension; \$181,889 from Water Fund 41500, CIP-70-917.0, Miramar Storage Tank and Raw Water Connection; \$133,291 from Water Fund 41500, CIP-70-921.0, Scripps Poway Parkway Subsystem; \$426,000 from Water Fund 41500, CIP-70-934.0, Sorrento Valley/Carroll Canyon Subsystem; \$684,801 from Water Fund 41500, CIP-73-333.0-Annual Allocation - Air Valve Adjustments; and \$419,637 from Water Fund 41500, CIP-75-925.0, Annual Allocation - Water Service Meters, to Water Fund 41500, CIP-70-956.0, South Bay Reclaimed Water Pipelines;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$2,243,302 from Water Fund 41500, CIP-70-956.0, South Bay Reclaimed Water Pipelines, for the purchase of approximately 4,145 linear feet of existing reclaimed water pipeline located at Dairy Mart Road from the Metropolitan Waste Water Department.

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 6/13/2001, NR&C voted 4 to 0 to approve the City Manager's recommendation. (Councilmembers Wear, Frye, Madaffer and Inzunza voted yea. Councilmember Peters not present.)

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS: (Continued)

\* ITEM-S513: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:**

The Water Department is responsible for distribution of reclaimed water throughout the City. As part of the construction of the South Bay Water Reclamation Plant, the Metropolitan Waste Water Department constructed a pipeline at Dairy Mart Road at a cost of \$2,243,302. It is approximately 4,145 linear feet of 30 inch diameter, ductile iron pipe, polyurethane lined and coated. A cathodic protection system is in place on this project. The Water Department wishes to purchase this pipeline from the Metropolitan Waste Water Department and subsequently construct additional projects to form a distribution system for reclaimed water from the South Bay Water Reclamation Plant.

**FISCAL IMPACT:**

Funding in the amount of \$2,243,302 is available from Fund 41500, CIP-70-916.0, Miramar Road Subsystem Extension (\$397,684) and CIP-70-917.0, Miramar Storage Tank and Raw Water Connection (\$181,889) and CIP-70-921.0, Scripps Poway Parkway Subsystem (\$133,291) and CIP-70-934.0, Sorrento Valley/Carroll Canyon Subsystem (\$426,000) and CIP-73-333.0, Annual Allocation - Air Valve Adjustments (\$684,801) and CIP-75-925.0, Annual Allocation - Water Service Meters (\$419,637) for the purchase of this pipeline.

Loveland/Gardner/KAR

Aud. Cert. 2101192.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS  
COMMITTEE ON RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS,  
RESOLUTIONS:

ITEM-S514: Three actions related to Energy Conservation and Management.

(See City Manager Reports CMR-01-115, CMR-01-086, CMR-01-032;  
memo from George Loveland dated 6/14/2001; Copeland Lowery &  
Jacquez's 5/30/01 memo; SDG&E information; Jim Bell's 6/5/01  
Commentary; Pepper Rae Coffey's 6/6/01 letter; "Reaching Out." )

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2001-1728)

Approving the City Manager Report CMR-01-115 which includes the following  
recommendations:

- (a) Adopt the Summer Energy Action Plan
- (b) Adopt the Energy Start Procurement Policy
- (c) Direct City staff to install VendingMiser devices on cold drink vending machines
- (d) Pursue installation of photovoltaic (PV) energy generation systems in five City buildings, as stated in CMR-01-115
- (e) Continue the active skylight pilot project at Golden Hill Recreation Center
- (f) Accept the donation of ten active skylight systems by So-Luminaire, Inc.
- (g) Continue the energy management information system pilot project using "Portal" technology
- (h) Not pursue reactivation or repowering of the Silver Gate Power Plant using City funds

Thanking So-Luminaire, Inc. for its donation of active skylight systems to be used at the Golden Hill Recreation Center.

**ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS (Continued)**  
**COMMITTEE ON RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS,**  
**RESOLUTIONS:(Continued):**

**ITEM-S514: (Continued)**

**Subitem-B: (R-2001-1729)**

Amending Council Policy No. 900-2 entitled, "Energy Conservation," and Council Policy No. 900-14, entitled "Green Building,";

Deleting Council Policy No. 900-16, entitled "Community Energy Partnership," because its provisions have been incorporated into Council Policy No. 900-14.

**Subitem-C: (R-2001-1730)**

Authorizing the City Manager and the Energy Conservation and Management Administrator to apply to the State of California for state sponsored or authorized energy efficiency and management grant funding, subject to Council ratification prior to acceptance of any grants requiring unbudgeted City funding;

Authorizing the City Manager and the Energy Conservation Manager to execute all documents required in connection with the grant funding.

**RULES COMMITTEE'S RECOMMENDATION:**

On 6/06/2001, Rules voted 4-0 (Mayor Murphy and Councilmembers Atkins, Stevens and Madaffer voted yea; Councilmember Wear not present ) to approve all staff recommendations:

- A. Adopt the Summer Energy Action Plan
- B. Adopt the Energy Start Procurement Policy
- C. Direct City staff to install VendingMiser devices on cold drink vending machines.
- D. Pursue installation of photovoltaic (PV) energy generation systems in five City buildings.
- E. Continue the active skylight pilot project at Golden Hill Recreation Center.
- F. Accept the donation of ten active skylight systems by So-Luminaire, Inc.
- G. Continue the energy management information system pilot project using "Portal" technology.
- H. Not pursue reactivation or repowering of the silver Gate Power Plant using City funds.

In addition, make the following two changes to the proposed Council Policy:

- B. City Regulated Activities, Subitem 2. Transportation-Add "Encourage

**ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS (Continued)**  
**COMMITTEE ON RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS,**  
**RESOLUTIONS:(Continued):**

telecommuting.”

ITEM-S514: (Continued)

**RULES COMMITTEE’S RECOMMENDATION: (Continued)**

Private-Sector Incentives, 1. Change Wording to read “...expedite the ministerial plan check for up to 20 **or more** projects per year...”

Refer to staff Jim Bell’s proposal and Pepper Coffey’s recommendation for a report back to the Committee in a month on the viability of their proposals.

**CITY MANAGER SUPPORTING INFORMATION:**

On 6/06/2001, Rules Committee voted 4 to 0 to recommend the following: (Mayor Murphy and Councilmembers Atkins, Stevens and Madaffer voted yea.)

A. Adopt the recommendations in City Manager Report CMR-01-115 for the implementation of a Summer Energy Action Plan, adopt an Energy Star Procurement Policy, adopt revised Council Policy 900-2, Energy Conservation and Management and 900-14, Sustainable Building Practices (Green Building) for Public and Private Building Projects, delete Council Policy 900-16 which has been incorporated into Council Policy 900-14, and provide direction to City staff to install VendingMiser energy controllers on soft drink vending machines, pursue installation of photovoltaic (PV) energy generation systems on five City buildings, accept the donation of ten active skylight systems by So-Luminaire, Inc. for installation at the Golden Hill Recreation Center, continue the pilot energy management information system project and do not pursue reactivation or repowering of the Silver Gate Power Plant using City funds.

B. Authorize the City Manager and the Energy Conservation and Management Administrator to submit applications for State of California sponsored or authorized energy efficiency and management grant funding subject to City Council ratification prior to the acceptance of grants requiring unbudgeted City funding.

Loveland/Hays/RAE



ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS  
COMMITTEE ON NATURAL RESOURCES, AND CULTURE,  
RESOLUTIONS:

ITEM-S515: Two actions related to Metropolitan Wastewater Department Program Management/Construction Management Services.

(See City Manager Report CMR-01-089.)

**TODAY'S ACTIONS ARE:**

Adoption of the following resolutions:

Subitem-A: (R-2001-1687)

Authorizing the City Manager to execute an agreement with HDR Engineering, Inc., for as-needed program management/construction management services in an amount not to exceed \$7,000,000 and duration not to exceed three years;

Authorizing the expenditure of an amount not to exceed \$7,000,000 from Fund Nos. 41506, 41508, and 41509 to provide funds for the agreement;

Authorizing the expenditure of an amount not to exceed \$2,906,000 to provide funds for the agreement, to be expended as follows:

\$434,000 from Fund No. 41506, CIP-46-200.0, Sewer Pump Station 30A Relocation, for construction management services

\$112,000 from Fund No. 41506, CIP-46-106.0, Annual Allocation Sewer Pump Station Restorations, for construction management services in connection with Sewer Pump Station 30A

\$90,000 from Fund No. 41508, CIP-46-182.0, Point Loma Chemical Feed System Upgrades, for construction management services

\$270,000 from Fund No. 41509, CIP-46-170.0, Point Loma Digester Facility Upgrade and Expansion, for construction management services in connection with Digesters C1/C2

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS (Continued)  
COMMITTEE ON NATURAL RESOURCES, AND CULTURE,  
RESOLUTIONS:(Continued):

ITEM-S515: (Continued)

Subitem-A: (Continued)

\$2,000,000 from Fund No. 41506, CIP-46-215.0, Annual Allocation - Infrastructure Upgrade and Replacement, for consultant services, provided the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

Subitem-B: (R-2001-1688)

Authorizing a twelfth amendment to the agreement of December 10, 1991, with Sverdrup Civil, Inc. for construction management services in an amount not to exceed \$6,085,678;

Authorizing the expenditure of an amount not to exceed \$6,085,678 from Fund Numbers 41500, 41506, 41508, and 41509 to provide funds for the Amendment No. 12, provided the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Manager to revise contract phase funding with Sverdrup Civil, Inc., as indicated on Exhibit G, "Funding Phases," to the twelfth amendment to the agreement, revised April 4, 2001;

Authorizing the City Auditor and Comptroller to reallocate budget appropriations for various Capital Improvement Projects in Fund Numbers 41500, 41506, 41508, and 41509, under the agreement, where such reallocations are necessary to cover costs related to a redistribution of services under the agreement, provided that the total annual appropriations for the agreement remain unchanged.

Aud. Cert. 2101211.

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 5/16/2001, NR&C voted 3 to 0 to approve with the condition that Equal Opportunity Contracting Program information will be included in all future projects. (Councilmembers Peters, Wear, and Madaffer voted yea. Councilmember Inzunza not present.)

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS  
RESOLUTIONS:

ITEM-S516: Deappropriation of TransNet Commercial Paper.

(See City Manager Report CMR-01-127.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1709)

Authorizing the City Manager to authorize the de-appropriation of TransNet Commercial Paper, Fund No. 30306, in the total amount of \$37,448,696 for 53 projects per Exhibit A.

ADOPTION AGENDA, HEARINGS

NOTICED HEARINGS:

ITEM-S517: Three actions related to Carmel Mountain Road Interchange.

(See City Manager Report CMR-01-130. Sorrento Valley Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2001-1718)

**FINDINGS MUST BE MADE AS PART OF COUNCIL ADOPTION.**

Determining and declaring that the public interest, convenience and necessity of the City of San Diego require the acquisition of fee simple title and easements to the property for the construction, improvement, operation and maintenance of the Carmel Mountain Road Interchange Project-Interstate 5/805 widening, a public street or streets and incidents thereto; that the property is located at the intersection of Interstate 5 and Carmel Mountain Road, within the City of San Diego, County of San Diego, State of California; that the interests to be acquired include but are not limited to a fee simple interest and easements for slopes and public utilities, together with the right of ingress and egress over, under, along, and across the parcel of land; and that the proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; and that the property sought to be acquired is necessary for the project; that acquisition by eminent domain is authorized by law; and declaring that the offer to acquire the property required by Government Code Section 7267.2 has been made to the owners of record of the subject property and thereafter rejected; and declaring the intention of the City of San Diego to acquire the property under eminent domain proceedings; and directing the City Attorney of the City of San Diego to commence an eminent domain action in the Superior Court of the State of California, in the County of San Diego, to condemn, acquire and obtain immediate possession of the real property for the use of the City.

**NOTE:** **6** votes required for Subitem A.

ADOPTION AGENDA, HEARINGS (Continued)

NOTICED HEARINGS:(Continued):

ITEM-S517: (Continued)

Subitem-B: (R-2001-1747)

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$500,000 from the Sorrento Hills Development Agreement (Fund 39063), for costs related to the acquisition of property rights, condemnation, labor, appraisal, relocation, title, escrow, and miscellaneous costs.

Subitem-C: (R-2001-1748)

Stating that the information contained in the final document, Environmental Reevaluation Addendum for the Interstate 5 widening and Interchange Improvement Project, dated April 2001, prepared by CalTrans as Lead Agency, including any comments received during the public review process, has been reviewed and considered by this Council in connection with the Carmel Mountain Road Interchange project.

Aud. Cert. 2101219.

**ADOPTION AGENDA, HEARINGS (Continued)**

**NOTICED HEARINGS:(Continued):**

ITEM-S518: Headquarters Point Research Park.

(Continued from the meetings of December 12, 2000, Item 331, March 20, 2001, Item 330, and June 12, 2001, Item 330; last continued at the request of Councilmember Wear, for further review.)

Matter of approving, conditionally approving, modifying or denying an Open Space Easement Vacation (OS)/Rezone (RZ)/Vesting Tentative Map (VTM)/Planned Industrial Development (PID)/Coastal Development Permit (CDP) to vacate an open space easement, rezone a 10.3 acre site from RS-1-1 (R1-40000) to IL-2-1 (M1-B) zone and to subdivide the site into two lots and develop a planned industrial development located immediately east of Interstate 805 (I-805) on Headquarters Point between Wateridge Circle and Lusk Boulevard in the Mira Mesa Community Plan area.

(99-0036 OS Vacation/RZ/VTM/PID/CDP. Mira Mesa Community Plan area. District-5.)

**NOTE:** Hearing open. No testimony taken on 12/12/2000.  
Hearing open. No testimony taken on 3/20/2001.  
Hearing open. No testimony taken on 6/12/2001.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the resolutions in subitems B and E; adopt the resolution in subitem C to grant the map; adopt the resolution in subitem D to grant the permit; and introduce the ordinance in subitem A:

Subitem-A: (O-2001-103)

Introduction of an Ordinance changing 10.3 acres, located between Wateridge Circle and Lusk Boulevard, in the Mira Mesa Community Plan area, from the RS-1-1 (R1-40000) zone to the IL-2-1 (M1-B) zone, as defined by San Diego Municipal Code Section 131.0603 (101.0435.2); and repealing Ordinance No. O-8485 (New Series), adopted June 22, 1961.

ADOPTION AGENDA, HEARINGS (Continued)

NOTICED HEARINGS:(Continued):

ITEM-S518: (Continued)

Subitem-B: (R-2001-925 Cor. Copy)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report LDR No. 99-0036 Supplement to EIR No. 96-0265, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State Guidelines thereto (California Code of Regulations section 15000 et seq.), and that said EIR reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the land use actions for this project;

that pursuant to California Public Resources Code section 21081 and California Code of Regulations section 15091, the City Council adopts the Findings made with respect to the project;

that pursuant to California Code of Regulations section 15093, the City Council adopts the Statement of Overriding Considerations;

and that pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment.

Subitem-C: (R-2001- )

Adoption of a Resolution granting or denying Vesting Tentative Map No. 99-0036, with appropriate findings to support Council action.

Subitem-D: (R-2001- )

Adoption of a Resolution granting or denying Planned Industrial Development/Coastal Development Permit No. 99-0036, with appropriate findings to support Council action.

**ADOPTION AGENDA, HEARINGS (Continued)**

**NOTICED HEARINGS:(Continued):**

ITEM-S518: (Continued)

Subitem-E: (R-2001-1195)

Adoption of a Resolution vacating the open space easement located between Wateridge Circle and Lusk Boulevard in the M1-B (IL-2-1) zone of the Mira Mesa Community Plan, a portion of Lot 10 of Corporate Research Park II, Map No. 13605, filed July 27, 1998 (APN 340-090-55), in connection with the Headquarters Point Research Park development.

**OTHER RECOMMENDATIONS:**

The Planning Commission on December 7, 2001, voted 7 - 0 to recommend to the City Council that they deny this project based on the fact that the fundamental issue of the Open Space Vacation needs to be resolved before the project can be evaluated and the decision should be reviewed by the Planning Commission and City Council concurrently; and the additional information requested of staff was not provided to the Commission prior to the hearing.

Ayes: Steele, Anderson, Brown, Butler, Skorepa, Stryker, Garcia

The Mira Mesa Community Planning Group on October 18, 1999, voted 11-0-1, with conditions, to recommend approval of the project.

**CITY MANAGER SUPPORTING INFORMATION:**

**BACKGROUND**

The Headquarters Point Project has its origins in a settlement agreement between the City and the San Dieguito Partnership (SDP) which resolved three complicated land use lawsuits. For approximately fifty years, SDP owned almost all of the property located in an area now identified as Subarea II of the North City Future Urbanizing Area. Over the years, SDP made numerous unsuccessful attempts to acquire entitlements to allow development of their property. SDP's development efforts culminated in 1996 when they submitted three applications to develop roughly 150 acres of their holdings in the region. Although two of the three applications were approved by the City Council and the third was denied, two ballot measures which proposed to phase shift the SDP property were defeated by the voters, thus leaving SDP with limited development rights.



ADOPTION AGENDA, HEARINGS (Continued)

NOTICED HEARINGS:(Continued):

ITEM-S518: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:** (Continued)

**BACKGROUND** (Continued)

SDP filed suit against the City, alleging the City had inversely condemned their property. SDP sought over \$50 million in damages. After extensive settlement discussions, on November 16, 1998, the City Council approved a settlement agreement resolving all of SDP's lawsuits. The primary aim of the City in the settlement agreement was to preserve as open space the vast majority of the SDP property located in Subarea II. To achieve this end, Southern California Edison agreed to buy about 50 acres of the SDP property. In addition, the City purchased a 47-acre parcel, commonly referred to as the "Ranch." In the settlement agreement, the City also agreed to consider a small residential development of SDP's 27-acre property known as the "Villas."

As consideration for the SDP's Ranch property, and SDP's agreement to forgive almost \$1.5 million in debt owed by the City to SDP from a prior transaction, the City agreed to transfer to SDP a parcel in University City, referred to now as the Nobel Research Park. In November 1998, the electorate approved Proposition N which ratified the proposed exchange of properties. The City also agreed to transfer fee simple title to roughly ten acres of property in Sorrento Mesa, now referred to as the Headquarters Point Research Park. The settlement agreement approved by the City Council contemplated SDP would apply to develop the property in a manner consistent with the pending application.

When the settlement agreement was being implemented in 1999, the parties discovered the presence of an unrecorded lease between the City and the Santa Fe Pacific Pipelines, LP, which allows an underground pipeline on a portion of the Headquarters Point Parcel. To expedite dismissal of SDP's lawsuits and to prevent any claim that the City failed to provide notice of the underground lease, on December 7, 1999, the City Council approved an amendment to the settlement agreement. As part of the amendment, SDP transferred the Headquarters Point parcel to the City and the City transferred to SDP a two-acre parcel at the Nobel Research Park which SDP was holding in trust for the City. SDP also agreed to continue to process at its expense the development application for the Headquarters Point Research Park. As part of the settlement discussions, Council directed staff to process a development application to allow Council to consider a proposal which would increase the value of the property to partially offset the financial commitments of the SDP settlement agreement.

ADOPTION AGENDA, HEARINGS (Continued)

NOTICED HEARINGS:(Continued):

ITEM-S518: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:** (Continued)

**BACKGROUND** (Continued)

The 10.3 acre site is located west of Wateridge Circle, east of Lusk Boulevard in the R1-40000 zone (IL-2-1 proposed (M1-B)) within Hillside Review Overlay Zone and the Coastal Development Overlay Zone in the Mira Mesa Community Plan. The surrounding land uses near the Headquarters Point Research Park property are the industrial Corporate Research Park to the southeast; Vista Sorrento Parkway to the southwest; Lusk Boulevard to the northwest; and commercial/industrial development to the northeast. The Mira Mesa Community Plan designates an industrial park for this location. The site was designated for industrial development as part of the larger project, the Corporate Research Park. With the approval of the Corporate Research Park, this area was identified from industrial uses to open space as biological mitigation for direct impacts resulting from the Corporate Research Park.

**DISCUSSION**

Approval of the Headquarters Point Research Park would allow the subdivision and development of 10.3 acres with a public road and two lots for future industrial uses; landscaping; off-street surface parking; improvements in the public right-of-way; and a MHPA boundary adjustment. All of the property in the Headquarters Point Research Park is owned by the City of San Diego. The majority of this site is not within the Multiple Habitat Preservation Area. When the MHPA boundaries were established in this area, this property was excluded due to its low value as habitat and because the site is not physically connected to other habitat which would contribute to a wildlife corridor. The MHPA boundary adjustment will result in a greater area being included into the MHPA preserve. The adjustment increases the MHPA by including areas currently not within the MHPA and is offset by decreasing areas which are included in the MHPA. The total of the MHPA land area is increased as a result of this adjustment. City staff has reviewed and is in support of the proposed adjustment. The Federal and State of California agencies reviewed the EIR and did not provide any written comments addressing the proposed project. Development of the individual lots would be facilitated by the proposed Headquarters Point Research Park Planned Industrial Development Design Guidelines and conditions of approval found in Attachments 6 and 7. Approval of site specific building plans, landscaping and site development would be controlled by these guidelines and would be used during the review of specific building proposals.

ADOPTION AGENDA, HEARINGS (Continued)

NOTICED HEARINGS:(Continued):

ITEM-S518: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:** (Continued)

**DISCUSSION** (Continued)

Subject to the regulations in effect prior to the Land Development Code, January 2000, the Headquarters Point Research Park project is located within the Hillside Review Overlay Zone. The regulations of the Hillside Review Overlay Zone (HR), Section 101.0454D, Development Regulations require an HR permit before any development is allowed, with three exclusions. An HR permit is not required if a Planned Development Permit is obtained in accordance with the procedure set forth in Chapter X, Article 1, Division 9. The proposed project includes a Planned Industrial Development (PID) Permit and is consistent with the development regulations of the PID ordinance. The development regulations of the PID, Section 101.0920D Design Criteria, address the goals of the Hillside Review regulations in item number 2, "The plan shall provide for adequate permanent open space areas, circulation, off-street parking, and pertinent pedestrian amenities. Building structures and facilities and accessory uses within the parcel shall be well integrated, and oriented and related to the topographic and natural features of the site." Therefore, the proposed project does not require a Hillside Review Permit, yet is consistent with the purpose and intent of those regulations.

The 10.3 acres of Headquarters Point Research Park was created by a grant deed from the Corporate Research Park, Lot 10, Map No. 13604 which totaled 46.9 acres. Of the original 46.9 acre property, the remaining 36.6 acres would be preserved in open space and retain the current R1-40000 zoning. The proposed project is located in the least sensitive portion of the site, is sited in the most level areas available, preserves the greatest amount of the open space possible, and protects the steepest slopes and most sensitive vegetation located on the site. The proposed development would be located adjacent to existing industrial developments on Lusk Boulevard and Wateridge Circle. These features, and the site specific design, architecture, and other details of the submitted Planned Industrial Development Design Guidelines meet the design criteria of the Planned Development regulations and are therefore consistent with the requirements of the HR zone.

The Mira Mesa Community Planning Group, voted 11:0:1 on October 18, 1999, to recommend approval with the following additional conditions:

ADOPTION AGENDA, HEARINGS (Continued)

NOTICED HEARINGS:(Continued):

ITEM-S518: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:** (Continued)

**DISCUSSION** (Continued)

1. All buildings shall be limited to a maximum of three stories in height;
2. Prior to the issuance of any building permit, a development plan package as defined on page 15 and 16 of the PID Text, shall be submitted to the Mira Mesa Community Planning Group for their review and approval, and;
3. Offsite acquisition required as mitigation for project impacts to the MHPA should be focused on sites north of State Route 52.

City Staff recommends certification of the Environmental Impact Report LDR No. 99-0036; adoption of the Mitigation Monitoring and Reporting Program with all mitigation necessary to reduce, to a level of insignificance, all significant impacts of the project as identified in the EIR; adoption of the Findings and Statement of Overriding Considerations; adoption of the rezone; approval of the Vesting Tentative Map; and approval of the Planned Industrial Development/Coastal Development Permit 99-0036 with the conditions recommended by the Mira Mesa Community Planning Group and those contained in the draft Tentative Map resolution and draft permit.

Headquarters Point Research Park - Open Space Easement Vacation proposes an open space easement vacation on City-owned property to allow development of an industrial project in the Mira Mesa Community Plan area. At Council direction on December 12, 2000, Headquarters Point Research Park was continued to March 13, 2001 to allow the open space easement vacation to be brought forward for consideration and to consolidate all necessary actions to make a decision on the entire project. The open space easement was discovered during the final review of the project after title to the property transferred from the owner to the City. The easement is referenced only on the grant deed and not on the recorded subdivision map or title report. The vacation of the open space easement will not affect local or regional transportation facilities. City staff supports the necessary findings reflected in the vacation resolution and recommends certification of the Environmental Impact Report LDR No. 99-0036; adoption of the Mitigation Monitoring and Reporting Program with all mitigation necessary to reduce, to a level of insignificance, all significant impacts of the project as identified in the EIR; and approval of the Open Space Easement Vacation.

ADOPTION AGENDA, HEARINGS (Continued)

NOTICED HEARINGS:(Continued):

ITEM-S518: (Continued)

**FISCAL IMPACT:**     None.

No cost to the City. All costs are recovered by a deposit account funded by the applicant.

Loveland/Christiansen/Griffith/JSF

**ENVIRONMENTAL IMPACT:**

Supplemental Environmental Impact Report (EIR) LDR No. 99-0036 has been prepared for the project in accordance with State CEQA Guidelines. A Mitigation Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level of insignificance, any potential impacts identified by the environmental review process.

**LEGAL DESCRIPTION:**

The project site is located within the Mira Mesa community on the east side of Interstate 805 between Vista Sorrento Parkway to the west, Mira Mesa Boulevard to the south and Lusk Boulevard to the north and is more particularly described as a portion of Lot 10 of Map 13604.

**PUBLIC NOTICES:**

Items are listed under Public Notice as a matter of public record only. These items do not require Council action.

**ITEM-S519: Notice of Pending Final Map Approval.**

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled "International Gateway of the Americas Phase 1A" (TM-40-0338), a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be deemed approved and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 5:00 p.m., 10 calendar days from the date of this notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS**  
**RESOLUTIONS:**

ITEM-S520: FY 2002 Budget Actions: Accepting Loan Repayment and Authorizing  
Reloan of \$892,371.

(See SEDC Report No. 01-010.)

**SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S**  
**RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1661)

Declaring that the City Council of the City of San Diego, accepts loan repayments  
in the total amount of \$892,371 from the following sources:

\$338,171 from the Central Imperial Redevelopment Project  
\$154,200 from the Mount Hope Redevelopment Project  
\$400,000 from the Gateway Center West Redevelopment Project

Authorizing a transfer of \$892,371 to the Agency as an interest bearing loan to be  
used in the proposed Fiscal Year 2001-2002 SEDC project budget for the  
Southcrest and Gateway West Redevelopment Project areas;

Directing the City Auditor and Comptroller to record the transfer of \$892,371 to  
the Agency, as an interest bearing loan, to be repaid as soon as practicable from tax  
increment or other appropriate and available revenues.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)  
RESOLUTIONS (Continued):

ITEM-S520: (Continued)

**SUPPORTING INFORMATION:**

**SEDC FY 2001-2002 Reloans**

<b><u>USES</u></b>	<b><u>FUND NO.</u></b>	<b><u>AMOUNT</u></b>
Southcrest - General	98330	\$287,123
Southcrest - Commercial Rehab.	98330/983352X	\$ 41,455
Southcrest - Linear Park	983302	\$554,200
Gateway Center West - Commercial Rehab.	98350/983503	<u>\$ 9,593</u>
Total Reloans		\$892,371

The funding sources for the CDBG loan repayment of \$892,371 are derived from disposition proceeds, tax allocation bond proceeds, interest income and tax increment generated in Central Imperial, Mt. Hope and Gateway Center West Project areas. The proposed loan of \$892,371 would partially reimburse outstanding CDBG loans to the Central Imperial, Mt. Hope and Gateway Center West Project areas. The Agency will borrow back the total amount of \$892,371 to augment the Southcrest and Gateway Center West Redevelopment Project Areas. It should be noted that whenever SEDC receives CDBG funds from the City of San Diego CDBG Annual Allocation, the funding is recorded as debt by the Agency. Repayment of CDBG loans is a financing mechanism allowed under Redevelopment law. The above-mentioned funds will be used in the FY 01/02 Program Budget (See Attachment No. 1) for project implementation costs, planning and administration, City services, redevelopment, legal services, environmental, financial services and commercial rehabilitation.

Smith/Dayacap

Aud. Cert. 2101240.

**NOTE:** See the Redevelopment Agency Agenda of 6/19/2001 for a companion item.